

wo

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF ARIZONA**

United States of America,

No. CR08-0814-01-PHX-DGC

Plaintiff,

ORDER

V.

Daniel David Rigmaiden (1),

Defendant.

Defendant Daniel Rigmaiden has filed a motion seeking until October 20, 2012 to file his reply in support of his motion to suppress. Doc. 874. The government has responded that it does not oppose the extension, but it asks the Court to place a page limit on Defendant's reply memorandum. Doc. 876.

The Court will grant Defendant's motion. Defendant may have until October 20, 2012, to file his reply. The reply is limited to 50 pages. This is ample room to respond to the government's 67-page response, and Defendant is advised that the Court will strike a longer filing. Defendant states that he intends to include additional evidence in the reply. The Court notes that reply memoranda are not the place for new evidence, and that the Court routinely disregards evidence presented for the first time in a reply.

IT IS ORDERED that Defendant's motion to extend (Doc. 874) is **granted**.

Excludable delay pursuant to U.S.C. § 18:3161(h)(1)(D) is found to run from 8/27/2012.

Dated this 4th day of September, 2012.

Daniel G. Campbell

David G. Campbell
United States District Judge